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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/680,932	10/07/2003	Nigel Evans	PRG-DualHookClamp92002	6020
	7590 01/26/201 Scott C Harris Inc	EXAMINER		
PO Box 1389	CA 02067	LE, TAN		
Rancho Santa Fe, CA 92067			ART UNIT	PAPER NUMBER
			3632	
			NOTIFICATION DATE	DELIVERY MODE
			01/26/2010	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

harris@schiplaw.com uspto@schiplaw.com

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, PROM THE MAILING DATE OF THIS COMMUNICATION. - Established for mapty is evaluated to the provision of 30° FR1 1-180°, in no event however, may a reply be trinky filled. - If NO period for regly is epocified above, the neximum statutory point of will expire SIX (8) MONTHS from the mating case of this communication Failur to review within the sid or carefulded privated for speed of the scale depends on the operation of the communication Failur to review within the sid or carefulded privated for speed in excellent plant of regions after the mating date of this communication Failur to review within the sid or carefulded private for speed in the mating date of this communication Failur to review within the sid or specified above, the neximum statutory point of the side of the communication Failur to review within the side of the communication Failur to review within the side of the communication Failur to review within the side of the communication Failur to review of the side of the communication Failur to review of the side of the communication Failur to review of the side of the communication Failur to review of the side of the communication Failur to review of the side of the communication Failur to review of the side of the side of the communication Failur to review of the side of the side of the communication Failur to review of the side o		Application No.	Applicant(s)				
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- The MAILING DATE of this communication appears on the cover sheet with the correspondence address — Period for Reply A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 2 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION. Exencises for time may be available under the provinced or 3 of 7FR 11-18(b). In the ovent, movement, may any by the timely find a suppose of the provinced by the first provinced and substance of 3 of 7FR 11-18(b). In the ovent, movement, may a new by the timely find a suppose that the provinced by the first provinced by the first provinced by the first provinced provinced and substance provinced and substance of the communication. Period will apply and will opply as the will opply a substance that the first provinced by the first provinced by the substance of the communication. Period will apply an event of the provinced by the first provinced by the provi	Office Action Summary	Examiner	Art Unit				
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1) Responsive to communication(s) filed on <u>01 December 2009.</u> 2a	 WHICHEVER IS LONGER, FROM THE MAILING D Extensions of time may be available under the provisions of 37 CFR 1.1 after SIX (6) MONTHS from the mailing date of this communication. If NO period for reply is specified above, the maximum statutory period Failure to reply within the set or extended period for reply will, by statute Any reply received by the Office later than three months after the mailing 	ATE OF THIS COMMUNICATION 36(a). In no event, however, may a reply be tinwill apply and will expire SIX (6) MONTHS from a cause the application to become ABANDONE	N. nely filed the mailing date of this communication. D (35 U.S.C. § 133).				
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5) El miorination Discussion de	2) Notice of Draftsperson's Patent Drawing Review (PTO-948) Paper No(s)/Mail Date						
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DETAILED ACTION

The response received 12/01/09 has been placed in the file and was considered by the examiner. This application contains pending claims 7-14. Claims 1-6 have been canceled.

Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 12/01/09 has been entered.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 7-14 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 7 recites "whereby said mounting and said using (in combination?) controls all the lamps ...in a common direction" and it is unclear what structure or device to

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control or perform all the lamps in the plurality of lamps to point in a common direction as recited. In other words, it is unclear what specific structure/device to carry on or perform the step method as recited. Note that the use of a graduated scale is to adjust a base portion of each lamp, not "controls all the lamps in a plurality of lamps to point in a common direction"

It also appears that the use of whereby" clause presents in the claim which sets forth the desired results or operational/functional intended of the method but no specific structures recited to perform that results/operational purpose thus the claim that is failed to particular point out and distinctively claim the apparatus but only allude to the merit of purposes.

Claim 7 also recites "controlling the group of lamps to move commonly as though each lamp was mounted on trusses extending in the same direction"; and Claim 10 recites "controlling different lamps in the group of lamps to move commonly as though each of the plurality of lamps was mounted oriented on a truss that extended in the same direction" are also rejected for the same reason set forth above. Specifically, it is unclear what structure or device to control or perform the group of lamps or different lamps in the group of lamps to move commonly based as though each lamp was mounted on trusses extending in the same direction or each of the plurality of lamps was mounted oriented on a truss that extended in the same direction. In other words, it is unclear what specific structure/device to carry or perform the step methods as recited in claims 7 and 10. One having ordinary skill in the art would have to perform undue experimentation to make/use the claimed features.

Claims 7 and 10 each recites "the group of lamps". This limitation lacks antecedent basis.

Response to Arguments

Applicant's response filed 12/09/09 with an amendment to claims 7 and 10 and believes that the amendment will obviate the 112 rejection. However, upon further consideration, the claims are still rejected under 112 second paragraphs for the reason as set forth in the office action.

This action is made NON-FINAL.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to TAN LE whose telephone number is (571)272-6818. The examiner can normally be reached on Mon. through Fri. from 9:00 AM-6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Allen J. Shriver can be reached on (571) 272-6698. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Art Unit: 3632

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Tan Le/ Acting Examiner of Art Unit 3632